

New Dogfish Rules Explained.....

4/19/00

On April 13, 2000 the Marine Fisheries Commission approved DMF proposals for a limited, small-scale spiny dogfish fishery for state waters. These new rules go into effect on May 1, 2000.

DMF's rules are different from those enacted by NMFS for federal waters. Fishermen are urged to read the information provided below to determine which rules (state vs. federal) apply to their specific fishing operations and contact DMF and/or NMFS for more details.

What permits do fishermen need to land dogfish?

Whenever fishermen land any fish or shellfish for commercial purposes in a Massachusetts port, they must have a Massachusetts (blue) commercial fishing permit. Effective this year there are new federal and state permits required to land dogfish. If you plan to harvest dogfish from **federal waters**, you need a new open access federal dogfish permit. (Contact NMFS at 978-281-9270).

If you plan to harvest dogfish from **state waters**, you need a Massachusetts regulated fishery permit for dogfish (cost \$30 for residents and \$60 for nonresidents). This permit will be required of fishermen using any gear type (trawls, hook-and-line, gillnets, and weirs). The regulated fishery permit is DMF's way of monitoring quota-based species and is similar to that required for striped bass, fluke, sea bass, horseshoe crab, American eels, and scup. Call 617-727-3900 xt 206 for permit applications.

If you plan to target dogfish in state waters with gillnets, you must purchase the Regulated Fishery Permit for Dogfish and have it endorsed for "Dogfish Gillnetting." Only those gillnetters who fished 3 of the last 5 years with gillnets in state waters for dogfish will be eligible for the "Dogfish Gillnetting" endorsement. DMF will examine the past five years of state gillnet catch reports and contact those fishermen who may qualify. Please note that no new gillnet permits will be issued nor will fishermen who've used gear other than gillnets in past years be allowed to switch over to gillnetting.

Send all inquiries in writing to DMF at 100 Cambridge St., Room 1901, Boston, MA 02202.

What is the federal possession limit?

The federal possession limit will be 600 lbs. on May 1 and will drop to 300 lbs. on November 1. NMFS recent press release announced that this low trip limit is intended as by-catch.

What is the state's dogfish possession trip limit?

The state limit is higher than the 600 lbs. federal limit. The daily limit in state waters will be 7,000 lbs. This higher limit applies to fishermen using trawls, longlines, hook and line, and weirs, and to certain fishermen using gillnets. Any gillnetter who doesn't have the "Dogfish Gillnetting" endorsement (such as those fishermen fishing for groundfish and taking dogfish as by-catch) will be subject to a limit of 600 lbs.

What if fishermen have both the federal and state dogfish permits? Can they fish in state waters and enjoy the higher trip limits? No. The more restrictive rule applies. If you have a federal permit you must abide by federal rules even when fishing in state waters. Fishermen can surrender their federal permit if they wish to fish exclusively in state waters. Contact NMFS for specifics before you make the decision to surrender the permit.

Why were stringent eligibility rules placed on gillnetters?

DMF does not intend that Massachusetts coastal waters become a magnet for gillnetters seeking to capitalize on higher limits. If substantial increases in state waters gillnetting were allowed to occur, gear conflicts would increase as well as by-catch of non-target species (e.g. striped bass) and possibly marine mammals. DMF prevents growth in the gillnet fleet in state waters by granting the “dogfish gillnetting” endorsement only to those fishermen who’ve gillnetted for dogfish in state waters during 3 of the past 5 years. DMF will rely on fishermen’s annual catch reports to determine eligibility.

How else are gillnetters affected?

Nets can no longer be left in the waters for 1-2 days (or longer). Gillnetters targeting dogfish are now required to fish the nets as “strike-nets” where fishermen set the nets on a school of dogfish and retrieve the nets within a few hours and **take the gear home**. Longliners routinely fish in this fashion. DMF discussed this strategy with gillnetters last winter before proposing these changes as March 2000 public hearings. Six rules were enacted specific to gillnetting:

- (a) all gillnet gear removed from the water and on board the vessel;
- (b) setting gillnets at night prohibited
- (c) a mesh opening of at least 6 ½”
- (d) gillnet panel length not to exceed 300 feet;
- (e) maximum number of gillnet panels of 30 with no string of gillnets being longer than 2,400 feet in total length;
- (f) marking of gear required pursuant to 322 CMR 4.13;

A gillnet vessel found out of compliance with (a) through (c) (above) will be limited to just 600 lbs. of dogfish in possession.

Can fishermen who’ve gillnetted in the past, but don’t qualify for the “dogfish gillnetting”, fish for dogfish?

Yes. They can take 600 lbs. of dogfish per day as by-catch when fishing for groundfish species (flounders, cod, etc.). If they want to take more than 600 lbs. (up to 7,000 lbs.) they can switch over to longlining.

Is fishing for dogfish allowed in areas closed to groundfishing?

No.

Is there a minimum size for dogfish?

Yes. The minimum size for dogfish will be 31 inches (approx. 80 cm).

Will DMF be studying the fishery?

Yes. DMF will dedicate its observers to conduct some sea sampling on board vessels targeting dogfish to learn more about fishing practices, spiny dogfish catch composition, as well as by-catch and discards.